

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: SPRANZA, Joseph J. Attorney Docket Nos. SDEV-1-1003
Serial No.: 10/697,444 Group Art Unit: 3763
Filing Date: October 29, 2003 Examiner: Christopher Koharski
Title: **SAFE TROCHAR WITH GUIDE FOR PLACEMENT OF SURGICAL DRAINS**

AMENDMENT AND RESPONSE TO NON-COMPLIANT AMENDMENT

TO THE COMMISSIONER OF PATENTS:

This Amendment and Response is a reply to the Office Action mailed on September 9th, 2009 and in further response to the earlier Non-Final Office Action of July 9th, 2007. Furthermore, the Amendment and Response are in view of the recently rendered Decision on Petition pursuant to 37 CFR 1.137(b) mailed May 21, 2009 that revived the above identified application from unintentional abandonment. Additional fees for two new independent claims and 3 new dependent claims are included with this amendment. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 501050.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 9 of this paper.

Appendix 1 begins on page 13 of this paper.